

EXHIBIT 46

Message

From: Kevin Nicholson [KNicholson@NACDS.org]
Sent: 8/23/2017 4:06:23 PM
To: Polster, Natasha [tasha.polster@walgreens.com]
Subject: RE: NACDS Pharmacy Compliance Roundtable - Follow-up Information

Tasha, thanks... we will add this to the list of topics. To make sure I understand, is this the requirement to provide DEA 24-hour notification even before you send in a DEA-106?

KEVIN N. NICHOLSON, R.Ph., J.D.
Vice President, Public Policy and Regulatory Affairs
knicholson@nacds.org
P: (703) 837.4183

National Association of Chain Drug Stores (NACDS)
1776 Wilson Blvd. Suite 200 Arlington, VA 22209

www.nacds.org
www.facebook.com/NACDS.org
www.twitter.com/@NACDS

From: Polster, Natasha [mailto:tasha.polster@walgreens.com]
Sent: Wednesday, August 23, 2017 4:59 PM
To: Kevin Nicholson <KNicholson@NACDS.org>
Subject: FW: NACDS Pharmacy Compliance Roundtable - Follow-up Information

Kevin-

An additional topic for consideration. A better understanding of the 24-hr notification required when a DEA106 is warranted if there is a loss of a controlled substance.

Thanks, Tasha

From: Pinon, Dwayne
Sent: Wednesday, August 23, 2017 3:48 PM
To: Polster, Natasha <tasha.polster@walgreens.com>
Cc: Zagami, Patricia <patty.zagami@walgreens.com>
Subject: RE: NACDS Pharmacy Compliance Roundtable - Follow-up Information

TP:

We should consider whether we need additional guidance on what triggers a one-business day notice, specifically, whether it is confirmation of a significant loss or merely a suspicion that one might have occurred.

Dwayne A. Piñon, R.Ph., J.D.
Director and Managing Counsel
Pharmacy Law – Operations & Services

Walgreen Co. | 104 Wilmot Road, MS 144N, Deerfield, IL 60015
Telephone 847 315 4452 | Mobile 224 261 1889

Member of Walgreens Boots Alliance

This email message, including attachments, may contain information that is proprietary, confidential, privileged and/or exempt from disclosure. Please hold it in confidence to protect privilege and confidentiality. If you are not the intended recipient, then please notify the sender and delete this message. Any viewing, copying, publishing, disclosure, distribution of this information, or the taking of any action in reliance on the contents of this message by unintended recipients is prohibited and may constitute a violation of the Electronic Communications Privacy Act.

From: Polster, Natasha

Sent: Tuesday, August 22, 2017 8:17 PM

To: Zagami, Patricia <patty.zagami@walgreens.com>; Pinon, Dwayne <dwayne.pinon@walgreens.com>

Subject: FW: NACDS Pharmacy Compliance Roundtable - Follow-up Information

NACDS has a meeting with DEA next week. They have asked for topics and given companies a chance to weigh in to what they have listed below.

From: NACDS Legal [mailto:NACDSLegal@NACDS.org]

Sent: Tuesday, August 22, 2017 1:01 PM

To: Mary Ellen Kleiman <MKleiman@nacds.org>

Subject: NACDS Pharmacy Compliance Roundtable - Follow-up Information

Thank you for attending and participating in this year's NACDS Pharmacy Compliance Roundtable! We hope you found our speakers on DEA enforcement and USP800 Handling of Hazardous Drugs, as well as our broader topic's discussion, informative and helpful in your company's efforts to meet its compliance obligations. For your reference, we have attached a copy of this year's slide deck (unfortunately, we were not permitted to include the DEA slides).

Further, NACDS requests follow-up information and provides you contacts for future reference, followed by some additional resources referred to during the pharmacist expanded scope of practice discussion.

Please contact NACDS ASAP to assist it in its discussions with:

DEA – NACDS along with other pharmacy group representatives will be meeting with the DEA on August 29th in Washington, DC. During that meeting, NACDS intends to raise the following topics:

- **EPCS** – Issue a final regulation that addresses the forwarding of unfilled electronic prescriptions
- **Electronically forwarding** unfilled paper, oral, fax prescriptions that have been saved electronically
- **Central Fill** – Update the regulations to allow for electronic recordkeeping
- **CSOS** – Update the regulations/requirements to remove numerous unnecessary administrative burdens
- **Filling less than the prescribed amount of opioid** - Members want to know if they have the ability to choose to fill an opioid prescription for acute pain for 7 days, even if written for more
- Allowing a **verbal “forwarding” of an unfilled prescription**. This is for members that cannot perform this function electronically and for situations when the patient wants the prescription sent to a pharmacy outside of the chain. Members called this a “pharmacist to pharmacist forward”
- **Split billing a C-II prescription**. Need guidance that a pharmacy may assign two different prescription numbers to one prescription. Members have received conflicting messages from DEA on this.
- **Pre-populating a prescription**. Jim Arnold mentioned that they would accept NCPDP's offer for a demonstration on how current systems issue refill requests to prescribers from pharmacies.

If you have any additional topics to suggest, *please send them to Kevin Nicholson at knicholson@nacds.org by **COB, Wed., August 23rd***.

HHS – NACDS is meeting with HHS to discuss concerns about the burdensome nature of compliance with Section 1557. Please *contact Chris Smith* at csmith@nacds.org by **COB, Tues., August 29th** with specific examples of compliance challenges to share with officials during that meeting.

Speaker contact information, offered to participants if they needed future assistance:

DEA – Jim Arnold, Chief, Liason and Policy Section (202) 353-1414; Loren Miller, Associate Chief (202) 307-8250

Liason Unit – email ODLL@usdoj.gov; Louis Carrion, Acting Chief (202) 598-2629

Policy Unit – email ODLP@usdoj.gov; Lynnette Wingert, Chief (202) 598-8837

USP800 – Bill Mixon can be reached at wmixon6529@gmail.com

Resources:

"Collaborative Practice to Advance Team-based Care Report," CDC (2017) [see Appendix "A" for multiple tables on state collaborative practice laws]

<https://www.cdc.gov/dhds/pubs/docs/CPA-Team-Based-Care.pdf>

Naloxone:

NASPA map breaking down state laws re: pharmacist dispensing of Naloxone – <https://naspa.us/resource/naloxone-access-community-pharmacies/>

Interactive map of state Good Samaritan laws for providers of Naloxone - <http://www.pdaps.org/dataset/overview/laws-regulating-administration-of-naloxone/5977b661d42e07f31dcafb6e>

Lastly, in the coming weeks, NACDS will send out an evaluation survey for your feedback about this year's roundtable so we can learn what worked and what didn't work with our new format, with an eye towards improving next year's roundtable. Thank you again for joining us in San Diego. We are looking forward to seeing you again next year in Denver!

Don Bell

(703) 837-4231

dbell@nacds.org

Mary Ellen Kleiman

(703) 837-4327

mkleiman@nacds.org